



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 5

#### ALTERNATIVE BUSINESS STRUCTURES

##### *Licensing authorities*

#### **77 Cancellation of designation: further provision**

- (1) This section applies where an approved regulator (“the former authority”) has its designation as a licensing authority in relation to one or more reserved legal activities cancelled—
  - (a) by virtue of section 75, or
  - (b) by an order under section 76.
- (2) The Lord Chancellor may by order make—
  - (a) such modifications of provisions made by or under any enactment (including this Act or any enactment passed after this Act), prerogative instrument or other instrument or document, and
  - (b) such transitional or consequential provision,as the Lord Chancellor considers necessary or expedient in consequence of the cancellation.
- (3) The Lord Chancellor may, by order, make transfer arrangements.
- (4) “Transfer arrangements” are arrangements in accordance with which each consenting licensed body is, from the time the cancellation takes effect, treated as being authorised to carry on each protected activity by virtue of a licence issued under this Part by a licensing authority, in relation to the protected activity, which consents to the transfer arrangements.
- (5) “Consenting licensed body” means a licensed body authorised by the former authority which consents to the transfer arrangements.

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*Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 77. (See end of Document for details)*

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- (6) The transfer arrangements—
- (a) must make such provision as is necessary to ensure that, where a licensed body is treated under those arrangements as being authorised to carry on a protected activity by the new authority, that licensed body is subject to the licensing rules of the new authority;
  - (b) may make provision requiring amounts held by the former authority which represent amounts paid to it by way of licensing fees by the consenting licensed bodies (or a part of the amounts so held) to be paid to the new authority and treated as if they were amounts paid by those licensed bodies by way of licensing fees to the new authority.
- (7) Subsection (6)(a) is subject to any transitional provision which may be made by the transfer arrangements, including provision modifying the licensing rules of the new authority as they apply to the bodies to whom the transfer arrangements apply.
- (8) The Lord Chancellor may make an order under this section only if—
- (a) the Board has made a recommendation in accordance with section 78, and
  - (b) the order is in the same form as, or in a form which is not materially different from, the draft order annexed to that recommendation.
- (9) For the purposes of this section—
- (a) a licensed body is “authorised by the former authority” if immediately before the time the cancellation takes effect the body is, by virtue of a licence under this Part, authorised by the former authority to carry on an activity which is a reserved legal activity to which the cancellation relates, and
  - (b) in relation to that body—
    - (i) the activity which the body is authorised to carry on as mentioned in paragraph (a) is a “protected activity”, and
    - (ii) “the new authority” means the licensing authority by which (in accordance with transfer arrangements under subsection (4)) the body is treated as authorised to carry on a protected activity.
- (10) In this section “licensing fee”, in relation to a licensing authority, means a fee payable by a licensed body under the authority's licensing rules made in accordance with paragraph 21 of Schedule 11.

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**Commencement Information**

**II** S. 77 in force at 2.8.2010 by [S.I. 2010/1118](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Legal Services Act 2007, Section 77.